

Innovation District Application Background and Guidance

School districts across Wisconsin are continually seeking new ways to improve student learning and increase opportunities for the children they serve. From personalized learning starting at the youngest of ages, to high school academies that graduate students with college credits and industry credentials already in hand, Wisconsin's public schools are providing countless innovative educational opportunities to their students to prepare them for future success. While school districts adopt innovative practices every day to improve outcomes among the children they serve, in some cases, school districts may require more flexibility to innovate than state rules or regulations permit. To address this need, State Superintendent Tony Evers is empowering school districts with a new opportunity to become Innovation Districts and pursue innovative, locally-driven solutions that will improve outcomes for Wisconsin children. If districts can demonstrate that state laws or regulations are impeding their efforts to improve outcomes for children and articulate a different approach to improving student achievement, the Department of Public Instruction (DPI) will use its authority to get those barriers out of the way.

Under current state law, Wisconsin school boards may apply to the DPI for an exemption to most state laws or administrative rules affecting school districts, with certain important exceptions. While school boards have requested waivers in the past, the scope and scale of those waivers has generally been very narrow and focused on one statute or standard, as opposed to a more comprehensive approach. The Innovation District application, however, provides districts of any size or even consortia of districts the ability to apply for exemptions needed to implement new, innovative practices or reduce existing barriers to student learning.

Districts can apply to become Innovation Districts on behalf of one, more than one, or all schools within their jurisdictional boundaries, depending on the innovation and outcomes desired. All applicants will need to detail how their proposal aligns to their district's strategic direction, demonstrate how their request for an exemption will improve outcomes for their students, and how they will evaluate their success. Once approved by the DPI, waivers are in effect for four years and are renewable for additional four year intervals with evidence of improved student outcomes.

Legal Authority

[Chapter 118.38](#) of the Wisconsin State Statutes outlines the legal authority for school boards to request and for DPI to grant waivers from certain state laws and administrative rules.

Under this provision, school boards can request a waiver from DPI of any school board or school district requirement outlined in Chapters 115 to 121 of the State Statutes or in related administrative rules, with the following important exceptions:

1. The health or safety of pupils;
2. Pupil discrimination under s. [118.13](#);
3. The pupil assessment program under s. [118.30](#) and the standardized reading test required under s. [121.02 \(1\) \(r\)](#);
4. Pupil records under s. [118.125](#);
5. The collection of data by the department;
6. The uniform financial fund accounting system under ss. [115.28 \(13\)](#) and [115.30 \(1\)](#) and audits of school district accounts under s. [120.14](#);
7. Licensure or certification under s. [115.28 \(7\)](#) or [\(7m\)](#) other than the licensure of the school district administrator or business manager;
8. The commencement of the school term under s. [118.045](#); and
9. The requirements established for achievement guarantee contracts under s. [118.43](#) and for achievement gap reduction contracts under s. [118.44](#).

The law requires the school board to hold a public hearing in the school district on the request, and requires the school board to specify in its request for a waiver its reason for requesting the waiver. In its review, DPI must consider at a minimum whether the statute or rule requested for waiver impedes the district's progress in achieving educational goals or implementing local improvement plans. Once approved, waivers are effective for four years, and renewable for additional four year periods if the school board has evaluated the educational and financial effects of the waiver. DPI can deny a waiver renewal request if the school district cannot demonstrate evidence of improved student outcomes, as outlined in the school district's waiver application.

Development of the Innovation District Application: Role of the Innovation Working Group

DPI partnered with educational leaders from across Wisconsin to develop the Innovation District application and process. In March 2017, State Superintendent Tony Evers convened an Innovation Working Group and charged them with defining a clear, streamlined process under authority of the DPI to create Innovation Districts. Through an Innovation District application, districts could request exemptions from state law or administrative rules needed to implement innovative practices or reduce barriers to student learning, with the goal of improving outcomes for all kids.

Members of this group included a cross-section of leaders from districts of varying size around the state, including:

- Jon Bales, Executive Director, WASDA
- Kevin Bruggink, District Superintendent, Oostburg School District
- Jim Erickson, District Administrator, Webster School District
- Mark Hansen, District Superintendent, Elmbrook School District
- Nancy Hendrickson, District Administrator, Highland School District

- Gregg Goers, Teacher, Neenah High School, Neenah School District
- Michelle Langenfeld, District Superintendent, Green Bay Area Public School District
- Ted Neitzke, Agency Administrator/CEO, CESA 6
- Randy Nelson, District Superintendent, LaCrosse School District
- Sue Savaglio-Jarvis, District Superintendent, Kenosha Unified School District

Members participated in presentations and discussions about state waiver law and authority, reviewed approaches in other states, and discussed their vision of the state and local roles in pursuit of innovative practices. Members agreed that a Wisconsin Innovation District application should include the following principles:

- A strong focus on accountability and outcomes as the rationale for seeking innovation status, but with minimal application and compliance components from the state;
- An application process that could be either school- or district-driven;
- Robust local development of an innovation plan, including things like needs assessments, building-level support, student and parental support, and broad community buy-in, focused on getting the community to support the plan;
- A streamlined application process, but one that provides enough latitude and guidance so that districts of all sizes, including small districts with limited capacity, can apply; and,
- A limited state role focused on being keepers of the process, supporting innovation, advocating local autonomy, and enhancing partnerships.

Members agreed that a substantive planning and development process is necessary, and that the qualitative review of the innovation plan and waiver request should occur at the local level. Further, members suggested that regular progress monitoring after approval should occur at the district level, and local processes, including publishing annual progress reports for example, should be established to ensure local accountability. The group did not believe that districts should submit annual updates to the state after an innovation request/waiver had been approved.

Members also agreed that districts should be able to submit innovation requests to the state at any time, as opposed to submitting requests only during a certain application window. Lastly, members believed that a district's application should be automatically renewed by the state upon request, unless a district cannot demonstrate evidence of improved student outcomes as outlined in the district's plan.

The Innovation District application and guidance that follows were developed in accordance with these principles. As part of its work, the Innovation Working Group reviewed and provided strategic feedback on the Innovation District application and the guidance that follows below. The Working Group will continue to partner with DPI to offer strategic advice and guidance to help ensure that the Innovation District application process is functioning as intended to foster innovative approaches and improved student outcomes.

Innovation District Application: Section by Section Guidance

Using the framework outlined by the Innovation Working Group, DPI developed the Innovation District application, available to districts beginning June 30, 2017. Applications will be accepted on a rolling basis at any time during the year.

The Innovation District application includes eight components, identified with additional guidance and details below.

I. General Information

Districts should include basic demographic information in this section detailing who is applying and which schools are affected by the request.

A district's innovation plan could apply to one school, more than one school, or all schools in a district. Districts could also apply as part of a local consortia working together to implement a regional innovation approach. As a result, this section of the application should note the specific schools included in the waiver request. If all district schools are impacted, the applicant should note that the request applies district-wide.

II. Abstract

As part of this section, the applying district should summarize the overall purpose of the innovation application, including the challenges and opportunities that communicate the need for the request.

III. General Assurances

This portion of the application is intended to ensure that the school district has done its due diligence in advance of the application, and that sufficient local development and review has occurred. While the state is not specifying how a district should develop its innovation plan or how it should be monitored locally, DPI is requiring assurances that several steps have occurred. Specifically:

- Significant stakeholder engagement and buy-in has occurred among district stakeholders that increase the likelihood of the innovation's success;
- The district has conducted a financial review and can assure the plan's fiscal viability;
- The district's innovation plan is in full compliance with all state and federal laws, including those outlined above regarding waiver requests; and
- The district has developed a process for regular progress reviews of the innovation plan with its local school board, and those progress reviews will be publicly available.

In addition, DPI is requiring the applicant district to provide assurances that the district will comply with any state level evaluation that occurs.

Finally, an applicant district must provide assurances to the state that it will notify the DPI of any substantive changes to the plan, including any changes in educational approach or the accountability metrics the district will use to monitor success. Districts seeking to add additional schools not already included in the original request, or seek waivers of additional statutes or administrative rules, may need to amend their original applications.

IV. Certifications/Signatures

The application requires the signature of both the district administrator in charge of implementing the innovation plan and the school board clerk, certifying school board approval. Districts that are applying as part of a multi-district consortia will need to submit certifications/signatures for each participating district in order to comply with state law.

V. Statement of Need

This section of the application should detail the district's innovation plan, including the rationale for any waivers that are sought. Specifically, the narrative should describe the following:

- The new opportunity/opportunities the district is going to provide to pupils as a result of this innovation application and how a waiver(s) is needed to achieve desired results;
- A list of the specific statute(s) and/or rule(s) requested for waiver;
- The rationale that justifies the need for the waiver(s); and
- An explanation of how the innovation proposed will lead to improved outcomes for students, with a focus on student equity.

In addition to utilizing research-based and best practice interventions in the development and articulation of the plan, districts and partner organizations are strongly encouraged to consider any differential impacts on underrepresented students or other unintended consequences that may occur as a result of the innovation. The district's application narrative should provide clear and convincing evidence of how the statute(s)/rule(s) identified are impeding innovation or negatively impacting student achievement, and how the waiver and innovation plan proposed will result in improved outcomes for children.

VI. Goals/Objectives

In this section of the application, districts will describe the goals and objectives they want to achieve through their innovation plan, including the specific performance indicators and outcome measures the district will use to monitor and demonstrate success. These are the accountability metrics that the district will use to guide public progress updates to the school board, as identified in the assurances under Section III of this application, and the outcome measures the DPI will review in a waiver renewal request.

This section should also provide readers with an understanding of the district's vision and mission, including the district's core values and guiding principles related to the innovation, and describe how the innovation plan aligns with the district's overall strategic direction. A reader should understand how the innovation plan fits into the district's "big picture."

VII. Evaluation Plan

This section of the application should describe how the district plans to evaluate the innovation plan, including the impact it has had on student achievement and student outcomes. Strong evaluation and accountability for performance is necessary to the success of any innovation request, and particularly any request for waiver renewal. However, DPI also recognizes that improvements are not likely to occur overnight and may take years to demonstrate an upward trend.

VIII. Request for Waiver

In this section, applicant districts will identify the specific statutes or rules from which they are seeking a waiver. The application provides a checklist of many statutes eligible for waiver under law, though it is important to note that this list is not exhaustive and is also not inclusive of administrative rules. Additional information about statutory requirements can be found in the 2017 [Legislative Fiscal Bureau Informational Paper #29, Statutory Requirements for School Districts](#), and general information the laws and regulations eligible for waiver is identified in Section 118.38 of the State Statutes, as described above.

DPI Review and Approval Process

DPI will review Innovation District applications upon receipt.

Factors that will weigh in DPI's decision whether to approve a waiver include:

- Can the statute or rule be waived under Ch. 118.38?
- Are there any conflicts with state or federal law that need to be considered?
- Would the waiver impact other districts not involved in the waiver process?
- Is there sufficient justification for how the identified statutes impede innovation and student achievement and how the innovation plan proposed will improve student outcomes?

Depending on the volume of applications received and the nature of the request, DPI anticipates a timeline of one to six weeks before a final decision would be made. It is highly recommended that districts communicate with DPI in advance about their applications, in order address any questions that may arise in advance and to expedite approval.

DPI will develop additional materials to assist districts in this process, and may provide updates to the application and guidance as needed in the future.

Applications and questions can be directed to Rebecca Vail, Director of Content and Learning, at rebecca.vail@dpi.wi.gov or (608) 266-2364.